

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
AT CLARKSBURG**

WALHONDE TOOLS, INC.,)
	:
Plaintiff,)
	:
v.)
	:
WILSON WORKS, INC., a West Virginia Corporation;)
NORTHCO CORP., a West Virginia Corporation;	:
NAES POWER CONTRACTORS, INC., successor by)
merger to American Boiler & Chimney Company, a	:
Washington Corporation;)
FOSTER WHEELER ZACK, INC., a Delaware	: Civil Action No.
Corporation;) 1:09-CV-00048
DAY & ZIMMERMAN NPS, INC., a Delaware	:
Corporation)
Defendants.	: Hon. Irene M. Keeley
)
And	:
)
FOSTER WHEELER ZACK, INC.,	:
)
Counterclaimant,	:
)
v.	:
)
WALHONDE TOOLS, INC., and	:
GARY W. MCCLURE, an Individual,)
	:
Counterclaim Defendants.)
	:

DEFENDANT FOSTER WHEELER ZACK, INC'S MARKMAN BRIEF

Defendant, Foster Wheeler Zack, Inc., adopts and joins in the Markman brief being filed today by defendant Wilson Works, Inc.

FOSTER WHEELER ZACK, INC.

By Counsel,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on September 1, 2010, the foregoing *Defendant Foster Wheeler Zack, Inc's Markman Brief*, was served upon the parties by electronic transmission (email), addressed as follows:

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And I hereby certify that I have mailed, by United States Postal Service,
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